

BOARD OF CODE STANDARDS AND APPEAL MINUTES

August 3, 2009

Members: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Randy Harder, Richard Hartwell, Bernie Hentzen, Ed Murabito, Warren Willenberg, John Youle

Present: Banuelos, Coonrod, Crotts, Harder, Hartwell, Hentzen, Murabito, Willenberg, Youle

Staff Members Present: Kurt Schroeder, Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection); Jeff VanZandt (Law Department); Janis Edwards (City Clerk's Office)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Murabito on Monday, August 3, 2009, at 1:35 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

1. Swearing in of Board Members

Janis Edwards, Deputy City Clerk, performed the swearing in of new and reappointed Board Members.

2. Election of Chairman and Vice Chairman.

Chairman Murabito opened the floor for nominations for the position of Chairman. Board Member Harder nominated Board Member Hentzen, and Board Member Coonrod seconded the nomination. There were no other nominations for Chairman. Board Member Hentzen was elected Chairman, with no dissenting votes. His duties will begin at the next regularly scheduled meeting. (Board Member Crotts abstained from voting.)

Chairman Murabito opened the floor for nominations for the position of Vice Chairman. Board Member Coonrod nominated current Vice Chairman Youle to retain the position, and Board Member Harder seconded the nomination. There were no other nominations for Vice Chairman. Vice Chairman Youle was re-elected Vice Chairman, with no dissenting votes. (Board Member Crotts abstained from voting.)

3. Approval of the July 13, 2009, minutes.

Board Member Hartwell made a motion to approve the July 13, 2009, minutes as submitted. Board Member Harder seconded the motion. The motion passed. (Board Member Crotts abstained from voting.)

4. Approval of the August 2009 license examination applications as follows:

<u>Name</u>	<u>Class</u>	<u>Date</u>
Scott Jones	Class D	August 2009
Jason L. Brouwer	Roofing & Siding	August 2009
Ronald Saxe	Roofing & Siding	August 2009
Todd D. Feazel	Roofing & Siding	August 2009

The Class D license examination application was withdrawn by the applicant (Mr. Scott Jones) prior to the meeting. Board Member Hentzen made a motion to approve the roofing and siding contractor license examination applications for testing. Board Member Harder seconded the motion. The motion was approved. (Board Member Crotts abstained from voting.)

5. Request by Martin Jacobs d/b/a Kansas Siding and Home Improvement that the Board grant permission to renew his Class C Contractor's License, expired as of December 31, 2008.

Mr. Schroeder gave a brief explanation of the Board's policy for granting renewals without retesting. Valid circumstances for not renewing would be due to serious illness or incarceration.

Board Member Coonrod asked if any extenuating circumstances had prevented Mr. Jacobs from renewing his license in the allotted time. Mr. Jacobs told the Board that his father has passed away in November of 2008, and the economy in the last two months of 2008 and the first four months of 2009 had been too slow to provide him with contracts. Due to the lack of contracts, Mr. Jacobs said he was unable to afford the renewal fees. During that time, Mr. Jacobs told the Board that he had only accepted jobs that did not require permits.

Board Member Coonrod made a motion to deny Mr. Jacobs' request to renew without retesting. Vice Chairman Youle seconded the motion. The motion carried. (Board Member Crotts abstained from voting.)

6. Darrin Lien, qualified person for GCS, Class B Contractor, is requesting a second Class B Contractor's license to do business as TND Contracting. The purpose for the second Class B Contractor's license is to separate the roofing and siding business (TND Contracting) from the current Class B Contractor's license (GCS).

Mr. Lien withdrew his request for a second Class B Contractor's license prior to the Board Meeting.

7. Carl G. "Jerry" Dieker, qualified person for North American Building, Inc., Class B Contractor, is requesting a second Class B Contractor's license to do business as JD and Associates. The purpose for the second Class B Contractor's license is to separate the roofing and siding business (JD and Associates) from the current Class B Contractor's license (North American Building, Inc.).

Mr. Dieker explained to the Board that he preferred to do residential and small jobs apart from his current Class B Contractor's license, and requested that the Board grant him permission to obtain a second Class B license to do business as JD and Associates.

Board Member Hartwell made a motion to approve Mr. Dieker's request for a second Class B contractor's license. Board Member Coonrod seconded the motion. The motion carried.

8. Request by Joseph Stockton d/b/a Stockton Restoration Company that the Board grant permission to renew his Class B Contractor's License, expired as of December 31, 2008.

Mr. Stockton said that he had forgotten to renew his license within the allotted time. He said his work primarily dealt with repairs and remodels of commercial structures, and rarely required him to obtain permits. Mr. Stockton said that he would like to renew without testing, and would be willing to pay any penalty fees.

Vice Chairman Youle made a motion to deny Mr. Stockton's request to renew his Class B Contractor's license without retesting, citing the Board's previously stated policy. Board Member Harder seconded the motion. The motion carried.

9. Condemnation Hearings

Review Cases:

1. 935 N. Ohio

Mr. Lacy Horner, owner of the property, was present.

A one- and one-half story frame dwelling about 23 x 46 feet in size, this structure has been vacant for at least one year. The structure has rotted and missing wood lap siding; badly worn composition roof with missing shingles; rotted and missing wood trim and framing members; deteriorated front and side porches; and the 16 x 20 foot two-story, concrete block and frame accessory structure is dilapidated.

At the May 5, 2009, hearing this property was presented to the Board for the first time. At that hearing, which Mr. Horner attended, the Board approved a motion to allow ninety days for the exterior repairs to be completed and the delinquent taxes paid while maintaining the site in a clean and secure condition in the interim.

The 2007 and 2008 taxes are delinquent in the amount of \$434.32, including interest. There is a 2009 Special Assessment for weed mowing in the amount of \$124.45. There is bulky waste, construction debris, and tree waste on the property. A building permit for roofing was issued on July 6, 2009, and some minor repairs to the east side of the property were done. Some painting has been started, there have been some repairs to the roof overhang; there have been no other changes to the main structure. The accessory structure and the basement are not secured.

Chairman Murabito asked if Mr. Horner could give the Board an idea of the period in which he would have the repairs completed.

Mr. Horner said that he intended to restore the house for family use, but has had to use his own finances for the repairs. He told the Board that he had had the trees cut down on the north side of the house. The roofing repairs were started; however, one of the workers was arrested and the worker's truck was impounded. The materials for the roof repair were on the impounded truck. Mr. Horner said he is putting together funds to purchase more supplies in the meantime. After boarding up the property, Mr. Horner reported that someone had broken into the basement, removing one of the boards. He has since secured the house again. Mr. Horner requested that the Board grant him an additional ninety days to complete the exterior repairs on the structure. He assured the Board that he would have the tree debris removed by the upcoming weekend.

Board Member Harder made a motion to allow ninety days to pay the delinquent taxes and complete the exterior repairs, maintaining the property in a clean and secure condition in the interim. Vice Chairman Youle seconded the motion. The motion passed.

With no other business to conduct, Board Member Willenberg made a motion to adjourn the meeting. Board Member Coonrod seconded the motion. The motion carried.

The meeting adjourned at 1:59 p.m.